

\$1,427.00 **PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: A8427

Mary G. HOFFEE et al

Appln. No.: 10/700,632

Group Art Unit: 1643

Confirmation No.: 8127

Examiner: Blanchard, D.

Filed: November 5, 2003

For: **ANTI-CD33 ANTIBODIES AND METHODS FOR TREATMENT OF ACUTE  
MYELOID LEUKEMIA USING THE SAME**

**DECLARATION UNDER 37 C.F.R. § 1.132**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We, Mary G. Hoffee, Daniel Tavares and Robert J. Lutz, hereby declare and state:

THAT we are each citizens of the United States;

THAT we are joint inventors of the invention disclosed and claimed in the above  
identified patent application; and

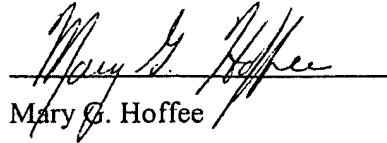
THAT the **R&D Focus Drug News** item dated **November 12, 2001**, discloses  
information derived from one or more of us. In particular, the monoclonal antibody My9-6  
referred to in the item is the work of one or more of us.

We declare further that all statements made herein of our own knowledge are true and  
that all statements made on information and belief are believed to be true; and further that these  
statements were made with the knowledge that willful false statements and the like so made are  
punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States  
Code, and that such willful false statements may jeopardize the validity of the application or any  
patent issuing thereon.

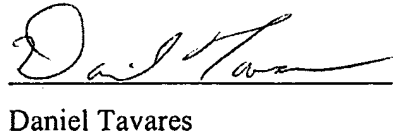
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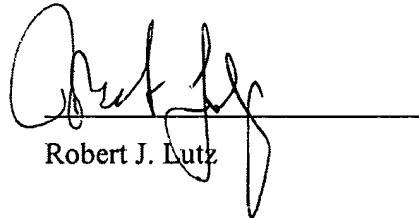
Date: Nov 9, 2006

  
Mary G. Hoffee

Date: November 3, 2006

  
Daniel Tavares

Date: November 3, 2006

  
Robert J. Lutz



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We, Mary G. Hoffee, Daniel Tavares and Robert J. Lutz, hereby declare and state:

THAT we are each citizens of the United States;

THAT we are joint inventors of the invention disclosed and claimed in the above  
identified patent application; and

THAT one or more of us is a co-author of **Goldmacher et al., Abstract #1265 of the  
Proceedings of the American Association for Cancer Research 43:254 (2002).**

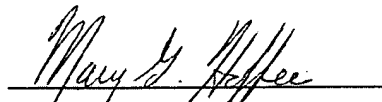
We further declare and state as follows:

THAT even though Victor Goldmacher, Barbara Leece, Laura Bartle, Cheryl Dionne,  
Rita Steeves and Ravi V.J. Chari are co-authors of the Abstract, they are not co-inventors of the  
invention disclosed and claimed in the above-identified application. Rather, to the extent the  
work of Victor Goldmacher, Barbara Leece, Laura Bartle, Cheryl Dionne, Rita Steeves and Ravi  
V.J. Chari relates to the My9-6 antibody, each of these co-authors were working under the  
direction of one or more of us. Thus, Victor Goldmacher, Barbara Leece, Laura Bartle, Cheryl


Dionne, Rita Steeves and Ravi V.J. Chari had no role in the conception of the invention described and claimed in the above-identified patent application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

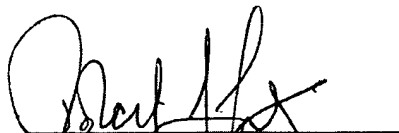
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We, Mary G. Hoffee, Daniel Tavares and Robert J. Lutz, hereby declare and state:

THAT we are each citizens of the United States;

THAT we are joint inventors of the invention disclosed and claimed in the above  
identified patent application; and

THAT one or more of us is a co-author of **Lutz et al., Abstract #4518 of the  
Proceedings of the American Association for Cancer Research 43:912 (2002).**

We further declare and state as follows:

THAT even though Hongsheng Xie, Cheryl Dionne, Rita Steeves, Victor Goldmacher, Barbara Leece, Laura Bartle and Ravi Chari are co-authors of the Abstract, they are not co-inventors of the invention disclosed and claimed in the above-identified application. Rather, to the extent the work of Hongsheng Xie, Cheryl Dionne, Rita Steeves, Victor Goldmacher, Barbara Leece, Laura Bartle and Ravi Chari relates to the My9-6 antibody, each of these co-authors were working under the direction of one or more of us. Thus, Hongsheng Xie, Cheryl Dionne, Rita Steeves, Victor Goldmacher, Barbara Leece, Laura Bartle and Ravi Chari had no

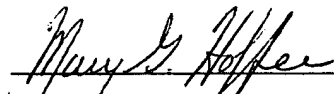
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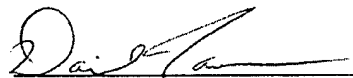
role in the conception of the invention described and claimed in the above-identified patent application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

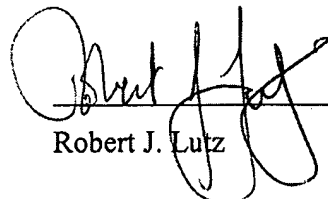
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